

REMARKS

Claims 5-8 are pending in this application. By this Amendment, claims 1-4 are canceled and claims 5-8 are added.

The Office Action rejects claims 1, 3 and 4 under 35 U.S.C. § 103(a) as being obvious over Soczka-Guth et al. (WO 99/29763) in view of Cavalca et al. (U.S. Published Application No. 2001/0033960). Claim 2 is somewhat similarly rejected under 35 U.S.C. § 103(a) as being obvious over Soczka-Guth et al. in view of Cavalca et al. and further in view of Grot (U.S. Patent No. 5,547,911). These rejections are traversed as they may apply to the new claims.

New independent claim 5 is derived from the combination of valid claims 1 and 2, and added with a further feature that the polymer ion-exchange component is a sulfonated substance of aromatic hydrocarbon polymer.

As materials relevant to the subject matter of the above-proposed new claim 5, Soczka-Goth, which has been cited in both of the subject U.S. application and corresponding Japanese applications, and WO 99/21239 as cited in the Japanese applications. However, Applicants point out that the ion-exchange capacity I_c and dynamic viscoelastic modulus D_v at 85°C defined in claim 5 are values related to the electrolyte membrane/electrode assembly and not to any polymer ion-exchange component constituting the assembly. Applicants respectfully submit that the mentioned specific features of new claim 5 have not been taught or suggested in the prior art references at all.

New claim 6 defines the features of valid claim 3 and a further feature enabling recovery of the first polymer ion-exchange component included in the electrolyte

membrane and catalyst particles included in the air and fuel poles. These specific features have not been taught or suggested in the prior art references at all.

New claim 7 corresponds to valid claim 4. New claim 8 defines aromatic hydrocarbon polymers specifically.

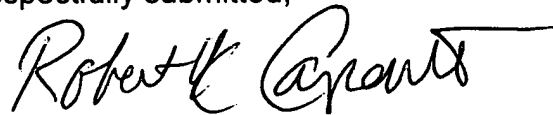
Applicants thus respectfully submit that the newly submitted claims are patentable over the prior art.

For at least the above reasons, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested.

Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300, making reference to Attorney Docket No. 107348-00127.

Respectfully submitted,



Robert K. Carpenter
Registration No. 34,794

Customer 004372
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810